

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims and 3-5, 7-9 and 11-13 are now present in this application. Claims 3, 4, and 7, 11 and 12 are independent.

Claims 1, 6 and 10 have been cancelled. Claim 7 has been amended. Reconsideration of this application, as amended, is respectfully requested.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by overcoming the rejection under 35 U.S.C. 112, first paragraph. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

Allowable Subject Matter

The Examiner states that claims 3-5 and 11-13 have been allowed. Applicants thank the Examiner for the early indication of allowable subject matter in this application.

Rejection Under 35 U.S.C. § 112, 1st Paragraph

The Examiner rejected claim 13 under 35 U.S.C. 112, 1st paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Particularly, the Examiner asserts that the recited limitation "the second retardation film has a phase opposite to the third retardation film" is not disclosed in the specification.

To overcome the Examiner's rejection, Applicants submit herewith an explanation of the retardation films in terms of their location and relative positions in the claimed device. The designations of first, second and third retardations films have not been used by the Applicants in a vacuum, but rather, are described in terms of their relative positions in the device with careful attention to detail. The careful descriptions by the Applicants, including the functions, location and descriptions of each film, render the designations of

first, second and third retardation films fairly easy to follow. Since claim 13 (the claim in question) depends on independent claim 12, Applicants now provide an explanation with respect to independent claim 12.

In independent claim 12, the *first* retardation film is an upper retardation film on an outer surface of the first substrate. The *second* retardation film is the first lower retardation film (see specification), which is on an inner surface of the second substrate, the *second* (first lower) retardation film having at least one light-transmitting hole. The *third* (second lower) retardation film is formed on an outer surface of the second substrate.

Herein, it is not difficult to see that the *second* (first lower) retardation film has a phase opposite to that of the *third* (second lower) retardation film. This is because the specification provides a good description in disclosing that upper retardation film 227 is on an outer surface of the first substrate (original specification, page 11, line 9), and first lower retardation film 219a has a phase opposite to that of the second lower retardation film 219b (page 11, lines 17-18). In light of the above, claim 13 does not contain subject matter which was not described in the specification in such a way as to reasonable convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1, 6, and 7-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,204,904 to Tillin et al. (Tillin) and U.S. Patent No. 6,295,109 to Kubo, and further in view of U.S. Patent No. 5,995,184 to Chung et al. (Chung). This rejection is respectfully traversed.

Without conceding to the appropriateness of the Examiner's rejection, Applicants respectfully submit that claims 1, 6 and 10 have been cancelled, thus rendering their rejection under 35 U.S.C. 103 moot.

Claims 7-9

Applicants respectfully submit that independent claim 7 has been amended to recite a combination of elements in a transfective LCD device, including a retardation layer formed in the transmitting portion of the reflector and contacting the reflector. Applicants respectfully submit that the prior art of record, including Tillin, Kubo and Chung (either singly or in combination), fails to disclose or suggest the above-recited features of independent claim 7 (as amended).

In particular, the Examiner has suggested in paragraph 8(b) of the Office Action that the limitations incorporated into independent claim 7, constitute allowable subject matter. Particularly, the Examiner states that a search of the

prior art did not disclose a liquid crystal display device comprising a combination of structural elements, more specifically:

- (a) A reflective electrode having at least one light transmitting hole and a first retardation film formed in the light-transmitting hole.
- (b) A reflective electrode on the second retardation film. The reflective electrode having at least one light transmitting hole in common with the second retardation film.

Accordingly, Applicants respectfully submit that claim 7 (as amended) is now allowable. Particularly, Tillin fails to disclose or suggest a combination of elements in a transfective LCD device, including a retardation layer formed in the transmitting portion of the reflector and contacting the reflector, as recited in independent claim 7 (as amended). Neither Kubo, nor Chung can fill this vacancy.

Claims 8 and 9 depend, either directly or indirectly on independent claim 7. Since neither Tillin, nor Kubo, nor Chung discloses or suggest the above-recited features of independent claim 7, Tillin and Kubo, in view of Chung cannot render claims 7-9 obvious to one of ordinary skill in the art. Reconsideration and withdrawal of this art grounds of rejection are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Percy L. Square, Registration No. 51,084, at (703) 205-8034, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 

Joseph A. Kolasch
Reg. No.: 22,463


JAK/PLS:asc:rem

P.O. Box 747
Falls Church, Virginia 22040-0747
Telephone: (703) 205-8000